(23)

HIGH COURT OF CHHATTISGARH, BILASPUR
W.P.(S) No. 4879/2007

Petitioner		Dr. N.R. Beck, s/o Shri Badi Ram Beck, aged about 38 years, Occupation-Medical Officer, Community Health Centre, Sitapur, District-Surguja(CG)
		Versus
RESPONDENTS	1	State of Chhattisgarh, Through: Secretary, Health Services, Mantralaya DKS Bhawan, Raipur (CG)
	2.	Collector, District-Surguja(CG)
	3.	Chief Medical and Health Officer, Surguja, Ambikapur, District, Surguja(CG)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

Appearance:

Shri S.D.Singh, counsel for the petitioner.

Shri Ajay Dwivedi, Panel Lawyer for the State on advance copy.

ORAL ORDER
(21.8.2007)

Sunil Kumar Sinha, J.

Heard on admission.

The petitioner, who is working as a Doctor in Community Health Centre, Sitapur, District-Surguja has been sent on alternative arrangement to P.H.C., Shankargarh on account of seasonal disease/malaria epidemic in the area. The order in this regard has been passed on 24.7.2007 (Annexure P-1).

Learned counsel for the petitioner argues that this arrangement has been made after cancellation of the order of one Dr. Martin Nikunj, which does not appear to be bonafide. He further submits that wife of the petitioner is working as an

Associate Professor in Medical College, Raipur, therefore, Shankargarh would be very far and the petitioner will face many difficulties. He also submits that 2 nieces of the petitioner are studying at Sitapur itself and there would be a problem for them also.

Firstly, I would say that the order is not an order of transfer. It appears to be a stop gap arrangement, perhaps on account of malaria epidemic in the area. About the personal difficulties, needless to say that those are the matters to be considered by the employer itself and in the facts and circumstances of the case, I deem it proper to dispose of this petition with a direction to the petitioner that if so advised, he may file a representation before the concerned authority and if such a representation is filed, it may be disposed of at the earliest by the said authority.

Accordingly, this petition is disposed of with a direction that if so advised, the petitioner may file a detailed representation before the concerned authority, raising all his grievances and if such a representation is filed, it shall be disposed at the earliest by the said authority.

With the above observations, this petition stands finally disposed of at this stage.

Sd/-
Sunil Kumar Sinha
Judge

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